

Panaji, 8th December, 1988 (Agrahayana 17, 1910)

SERIES I No. 36

OFFICIAL GAZETTE



GOVERNMENT OF GOA

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Education Department

Notification

DE/Acad. I/CEZ/T/Misc/1129/82-83/4196

The following draft amendment which is proposed to be made to the Goa, Daman and Diu School Education Rules, 1986 is hereby pre-published as required by sub-section (1) of section 29 of the Goa, Daman and Diu School Education Act 1984 (Act 15 of 1985), for information of the persons likely to be affected thereby and notice is hereby given that the said draft amendment will be taken into consideration by the Government on the expiry of fifteen days from the date of publication of this Notification in the Official Gazette.

All objections and suggestions to the draft amendment may be forwarded to the Director of Education, Education Department, Panaji before the expiry of fifteen days from the date of publication of this Notification in the Official Gazette.

DRAFT AMENDMENT

In exercise of the powers conferred by sub-section (1) of section 29 of the Goa, Daman and Diu School Education Act, 1984 (Act 15 of 1985), the Government of Goa hereby makes the following rules so as to amend the Goa, Daman and Diu School Education Rules, 1986, namely:—

1. *Short title and commencement.*—(1) These rules may be called the Goa School Education (Amendment) Rules, 1988.

(2) They shall come into force at once.

2. *Amendment of rule 37.*—In sub-rule (1) of rule 37 of the Goa, Daman and Diu School Education Rules, 1986 for the second proviso, the following proviso shall be substituted, namely "Provided further that, the school/s established by the Trust/s after the enforcement of the Goa, Daman and Diu School Education Act, 1984 (Act 15 of 1985) shall not be eligible for any grant in aid".

By order and in the name of the Governor of Goa.

S. V. Kurade, Director of Education and Ex-Officio Additional Secretary to Government of Goa.

Panaji, 22nd November, 1988.

Department of Urban Development

Directorate of Municipal Administration

Notification

10/47/85-DMA (Vol. I)

In exercise of the powers conferred by section 73(2)(b) of the Goa, Daman and Diu Municipalities Act, 1968 and all other powers enabling me in this behalf, I, Pukh Raj Bumb, Director of Municipal Administration, make the following rules amending the revised Goa, Daman and Diu Municipalities Group 'C' and 'D' (Ministerial and Non-Ministerial Non-Gazetted) posts Recruitment Rules, 1986, published under Notification No. 10/47/85-DMA (Vol. I), dated 10-3-1986 in the Official Gazette No. 4, Series I, dated 24-4-1986:—

1. *Short title and commencement.*—(i) These rules may be called Goa, Daman and Diu Municipalities Group 'C' & 'D' (Ministerial and Non-Ministerial Non-Gazetted) posts Recruitment Rules, 1988 (First Amendment).

(ii) They shall come into force at once.

2. In the Schedule attached to the said Notification the wording at Column No. 11 of Serial No. 13 shall read as under:—

"Promotion from Accountant/Tax Supdt. with 5 years experience in the grade, failing which transfer on deputation of Assistant Accounts Officer from the Directorate of Accounts".

Pukh Raj Bumb, Director of Municipal Administration.

Panaji, 24th November, 1988.

Department of Mines

Notification

5/40/88-ILD

In exercise of the powers conferred by sub-section (2) of section 26 of the Mines and Minerals (Regulation and Development) Act, 1957 (Central Act 67 of 1957), the Governor of Goa hereby specifies that the powers exercisable by the Government under sub-rule (1)(B) of rule 12 and sub-rule (3) of rule 26

of Mineral Concession Rules, 1960 shall also be exercisable by the Director of Industries and Mines, Government of Goa.

By order and in the name of the Governor of Goa.

Subhash V. Elekar, Under Secretary (Industries and Labour).

Panaji, 17th November, 1988.

Department of Labour

Notification

25/4/88-ILD

The following draft Notification which is proposed to be issued under sub-section (2) of section 5 of the Minimum Wages Act, 1948 (Central Act 11 of 1948) for fixing the minimum rates of wages payable to various categories of employees employed in various trades mentioned in the said draft in the scheduled employment of "Employment in Breweries and Distilleries" is hereby pre-published as required by clause (b) of sub-section (1) of section 5 of the said Act. Notice is hereby given that the said draft would be taken into consideration by the Government after the expiry of two months from the date of publication of this Notification in the Official Gazette. Persons likely to be affected by the said draft may forward their suggestions or objections, if any, to the Secretary, Labour to the Government of Goa, Secretariat, Panaji, before the expiry of the said two months so that such suggestions and objections could be taken into account at the time of finalisation of the draft.

DRAFT NOTIFICATION

In exercise of powers conferred by clause (a) of sub-section (1) of section 3 read with clause (iii) of sub-section (1) of section 4 and sub-section (2) of section 5 of the Minimum Wages Act, 1948 (Central Act 11 of 1948), the Government of Goa, after complying with the requirements of pre-publication, hereby fixes the minimum rates of wages payable to the categories of employees employed in "Employment in Breweries and Distilleries" as shown in the Schedule below:—

SCHEDULE

Sr. No.	Category of work	All inclusive minimum rates of wages
1	2	3

Category — I.

1.	Manager	Rs. 34.00 per day or
2.	Head Clerk	Rs. 204.00 per week or
3.	Accountant	Rs. 884.00 per month.
4.	Chemist	
5.	Section Head	
6.	Sales Supervisor	
7.	Head Operator	
8.	Head air conditioning operator	

Any other categories by whatever name called doing the work of the nature done by the persons falling under the foregoing entries.

1	2	3
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Category — II (A)

1.	Machine Operator	Rs. 29.00 per day or
2.	Air conditioning Operator	Rs. 174.00 per week or
3.	Fitter Operator.	Rs. 754.00 per month

Any other categories by whatever name called doing the work of the nature done by the persons falling under the foregoing entries.

Category — II (B)

1.	Mechanic	Rs. 27.00 per day or
2.	Refrigeration Mechanic	Rs. 162.00 per week or
3.	Mechanic Supervisor	Rs. 702.00 per month.
4.	Cashier	
5.	Steno Typist	
6.	Supervisor	
7.	Accounts Clerk/Driver	

Any other categories by whatever name called doing the work of the nature done by the persons falling under the foregoing entries.

Category — III.

1.	Clerk	Rs. 29.00 per day or
2.	Electrician	Rs. 174.00 per week or
3.	Operator	Rs. 754.00 per month.
4.	Store Keeper	
5.	Sales Supervisor	
6.	Car/Van driver	
7.	Laboratory Assistant	
8.	Leading hand	
9.	Store clerk	
10.	Asstt. Operator	
11.	Asstt. Air conditioning Operator	
12.	Welder	

Any other categories by whatever name called doing the work of the nature done by the persons falling under the foregoing entries.

Category — IV.

1.	Laboratory Asstt.	Rs. 15.00 per day or
2.	Trainee Lab. Chemist	Rs. 90.00 per week or
3.	Trainee operator	Rs. 390.00 per month
4.	Trainee Charge Hand	
5.	Gardener	
6.	Bottle washer	
7.	Peon	
8.	Worker	
9.	Watchman	
10.	Labourer/Sweeper	
11.	Boiler Attendant	
12.	Asstt. Fitter	
13.	Asstt. Operator.	

Any other categories by whatever name called doing the work of the nature done by the persons falling under the foregoing entries.

Explanation for the purpose of this notification.

- Where in any area or establishment scheduled employment wages fixed under this Notification are lower than the wages fixed by the Central Government or by agreement or settlement or contract or Contractor's Regulations attached to the conditions of Contract, the higher rate would be payable as Minimum Wages under this Notification.

2. The minimum rates of wages fixed are inclusive rates including rates including the wages for the weekly day of rest.
3. The minimum rates of wages are applicable to employees engaged by the Principal Employers or Contractors or Sub-Contractors, etc.
4. Both men and women workers have to be paid the same rates of wages fixed for the same category or for equal work.
5. The minimum rates of wages payable to, an adolescent certified to work as an adult shall be the same as payable to an adult. In case he or she is certified to work as an adolescent only, the rates of wages payable shall be 80% of the minimum rates of wages fixed for adults.
6. Where part-time workers are employed they should be paid pro-rata wages in accordance with the number of hours of work done.
7. Where payment is made on piece-rate basis for any of the categories for which time-rate is fixed the wages of the employers shall not be less than the minimum time rate fixed for a normal days work.

By order and in the name of the Governor of Goa.

Subhash, V. Elekar, Under Secretary (Labour).

Panaji, 17th November, 1988.

Law (Legal and Legislative Affairs) Department

Notification

7-32-88/LA

The Goa Land Revenue Code (Amendment) Ordinance, 1988 (Ordinance No. 2 of 1988) which has been promulgated by the Governor of Goa on 28-11-1988, is hereby published for the general information of the public.

P. V. Kadnekar, Under Secretary (Drafting).

Panaji, 2nd December, 1988.

THE GOA LAND REVENUE CODE (AMENDMENT) ORDINANCE, 1988

(Ordinance No. 2 of 1988)

Promulgated by the Governor of Goa in the Thirty-ninth Year of the Republic of India.

An Ordinance further to amend the Goa Land Revenue Code, 1968.

Whereas the Legislature of the State of Goa is not in session and the Governor is satisfied that the circumstances exist which render it necessary for him to take immediate action;

Now, therefore, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution, the

Governor is pleased to promulgate the following Ordinance:—

1. *Short title and commencement.*— (1) This Ordinance may be called the Goa Land Revenue Code (Amendment) Ordinance, 1988.

(2) It shall come into force at once.

2. *Amendment of section 32.*— In section 32 of the Goa Land Revenue Code, 1968 (Act 9 of 1969), in sub-section (6), for the words and figure "prescribed under the rules.", the following words and figures shall be substituted, namely:—

"prescribed under the rules on payment of the fees at the rates mentioned as under:—

- (i) on personal housing Rs. 2/- per square metre.
- (ii) on commercial housing/industrial and commercial constructions. Rs. 5/- per square metre.

Provided that no such fees shall be leviable in cases where sanad is granted—

- (i) for area not exceeding two hundred square metres;
- (ii) for the purpose of churches, temples, mosques, gurudwaras, sports, hospitals, or educational, charitable, cultural or religious institutions.

Dr. GOPAL SINGH

Governor of Goa

Notification

10-3-88/LA (Part)

The Rajghat Samadhi (Amendment) Act, 1988 (Central Act 30 of 1988) which was passed by Parliament and assented to by the President of India on 18-5-1988 and published in the Gazette of India, Extraordinary, Part II, section 1, dated 19-5-1988 is hereby republished for general information of the public.

P. V. Kadnekar, Under Secretary (Drafting).

Panaji, 22nd November, 1988.

The Rajghat Samadhi (Amendment) Act, 1988

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furth^r to amend the Rajghat Samadhi Act, 1951.

Be it enacted by Parliament in the Thirty-ninth Year of the Republic of India as follows:—

1. *Short title.*— This Act may be called the Rajghat Samadhi (Amendment) Act, 1988.

2. *Amendment of section 4.*— In section 4 of the Rajghat Samadhi Act, 1951 41 of 1951.

hereinafter referred to as the principal Act), after sub-section (4), the following sub-section shall be inserted, namely:—

“(5) It is hereby declared that the office of member of the Committee shall not disqualify its holder for being chosen as, or for being, a member of either House of Parliament.”

3. *Amendment of section 7.*—In section 7 of the principal Act, in sub-section (1), after the words “The Committee may”, the words “, by notification in the Official Gazette,” shall be inserted.

4. *Insertion of new section 7A.*—After section 7 of the principal Act, the following section shall be inserted, namely:—

“7A. *Rules and bye-laws to be laid before Parliament.*—Every rule and every bye-law made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or the bye-law or both Houses agree that the rule or bye-law should not be made, the rule or bye-law shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or bye-law.”

Notification

10-3-88/LA (Part)

The Code of Criminal Procedure (Amendment) Act, 1988 (Central Act 32 of 1988) which was passed by Parliament and assented to by the President of India on 25-5-1988 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 30-5-1988 is hereby republished for general information of the public.

P. V. Kadnekar, Under Secretary (Drafting).

Panaji, 22nd November, 1988.

The Code of Criminal Procedure (Amendment) Act, 1988

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further to amend the Code of Criminal Procedure, 1973.

Be it enacted by Parliament in the Thirty-ninth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Code of Criminal Procedure (Amendment) Act, 1988.

2. *Amendment of section 105.*—In section 105 of the Code of Criminal Procedure, 1973,—

2 of 1974.

(a) in sub-section (1), for the portion beginning with the words “issued by it” and ending with the words “in the said territories”, the following shall be substituted, namely:—

“issued by it shall be served or executed at any place,—

(i) within the local jurisdiction of a Court in any State or area in India outside the said territories, it may send such summons or warrant in duplicate by post or otherwise, to the presiding officer of that Court to be served or executed; and where any summons referred to in clause (a) or clause (c) has been so served, the provisions of section 68 shall apply in relation to such summons as if the presiding officer of the Court to whom it is sent were a Magistrate in the said territories;

(ii) in any country or place outside India in respect of which arrangements have been made by the Central Government with the Government of such country or place for service or execution of summons or warrant in relation to criminal matters (hereafter in this section referred to as the contracting State), it may send such summons or warrant in duplicate in such form, directed to such Court, Judge or Magistrate, and sent to such authority for transmission, as the Central Government may, by notification, specify in this behalf;’

(b) in sub-section (2),—

(i) for the words “issued by a Court in any State or area in India outside the said territories, it shall cause the same to be served or executed”, the following shall be substituted, namely:—

“issued by—

(I) a Court in any State or area in India outside the said territories;

(II) a Court, Judge or Magistrate in a contracting State,

it shall cause the same to be served or executed”;

(ii) the following proviso shall be inserted at the end, namely:—

“Provided that in a case where a summons or search warrant received from a contracting State has been executed, the documents or things produced or things found in the search shall be forwarded to the Court issuing the summons or search warrant through such authority as the Central Government may, by notification, specify in this behalf.”